

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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TERRY L. ANDERSON,

Plaintiff,

ORDER

v.

10-cv-452-slc

DANA DIEDRICH and RICHARD RAEMISCH,

Defendants.

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Plaintiff Terry L. Anderson, a prisoner at the Columbia Correctional Institution in Portage, Wisconsin, has submitted a proposed complaint. In response to this Court's August 16, 2010 order, plaintiff has filed a certified copy of a trust fund account statement for the period beginning approximately February 11, 2010 and ending approximately August 11, 2010.

From this statement, I calculate his initial partial payment to be \$4.67. Also, he must pay the remainder of the fee in monthly installments even if his request for leave to proceed is denied. If plaintiff does not have the money to make the initial partial payment in his regular account, he will have to arrange with prison authorities to pay some or all of the assessment from his release account. This does not mean that plaintiff is free to ask prison authorities to pay *all* of his filing fee from his release account. The only amount plaintiff must pay at this time is the \$4.67 initial partial payment. Before prison officials take any portion of that amount from plaintiff's release account, they may first take from plaintiff's regular account whatever amount up to the full amount plaintiff owes. Plaintiff should show a copy of this order to prison officials to insure that they are aware they should send plaintiff's initial partial payment to this court.

ORDER

IT IS ORDERED that plaintiff Terry Jackson is assessed \$4.67 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in the amount of \$4.67 on or before September 15, 2010. If, by September 15, 2010, plaintiff fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 25<sup>th</sup> day of August, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge